### IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS MCALLEN DIVISION

CLAUDIA CAVAZOS AND	§	
ROSANNA CAVAZOS	§	
Plaintiffs	§	
	§	CIVIL ACTION NO. 7:16-cv-00576
VS.	§	JURY DEMANDED
	§	
SUSSEX INSURANCE COMPANY AND	§	
BRIAN RING	§	
Defendants	§	

### AGREED STIPULATION OF DISMISSAL FOR PLAINTIFFS

Plaintiffs and Defendants Sussex Insurance Company and Brian Ring file this stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

- 1. Plaintiffs are Claudia Cavazos and Rosanna Cavazos, Defendants are Sussex Insurance Company and Brian Ring.
- 2. On August 16, 2016, Plaintiffs sued Defendants in the County Court at Law Number 7, Hidalgo County, Texas, Cause No. C-16-3269-G. On September 19, 2016, Sussex Insurance Company and Brian Ring filed their Original Answer. On September 29, 2016, Sussex Insurance Company filed its Notice of Removal.
- 3. On or about January 19, 2017, the parties settled this case. As a result of this settlement, all issues in the above-styled and numbered litigation have been fully and finally settled. Plaintiffs now move to dismiss the suit against Defendants.
  - 4. Defendants agree to the dismissal.
- 5. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.
  - 6. A receiver has not been appointed in this case.
- 7. This case is not governed by any federal statute that requires a court order for dismissal of the case.
- 8. Plaintiffs have not previously dismissed any federal- or state-court suit based on or including the same claims as those presented in this case.
  - 9. This dismissal is with prejudice.

### Respectfully submitted

By: /s/ Mikell A. West
Mikell A. West
Attorney-in-charge
State Bar No. 24070832
Southern Dist. No. 1563058
P.O. Box 6666
Corpus Christi, Texas 78466
Telephone: (361) 654-7008
Fax: (361) 654-7001
mwest@gnqlawyers.com

# ATTORNEY FOR DEFENDANT SUSSEX INSURANCE COMPANY

#### Of counsel:

GAULT, NYE & QUINTANA, L.L.P. P.O. Box 5959 Brownsville, Texas 78523 Telephone (956) 544-7110 Fax: (956) 544-0607

William Gault State Bar No. 07765050 Southern Dist. No.14685 bgault@gnqlawyers.com

GAULT, NYE & QUINTANA, L.L.P. P.O. Box 6666 Corpus Christi, Texas, 78466 Telephone: (956) 618-0628 Fax: (956) 618-0670

Thomas F. Nye State Bar No. 15154025 Southern Dist. No. 7952 tnye@gnqlawyers.com

Donald W. Elliott, Jr. State Bar No. 24097651 Southern Dist. No. 2783040 delliott@gnqlawyers.com By: /s/Cristobal M. Galindo\*
Cristobal M. Galindo, P.C.
State Bar No. 24026128

4151 Southwest Freeway, Suite 602 Houston, Texas 77027

Telephone: (713) 228-3030 Telecopier: (713) 228-3003 StormCase@galindolaw.com

COUNSEL FOR PLAINTIFFS, CLAUDIA CAVAZOS AND ROSANNA CAVAZOS

\*Signed with permission

## **CERTIFICATE OF SERVICE**

I certify that on April 5, 2017, a copy of the parties' Agreed Stipulation of Dismissal was *electronically filed* on the CM/ECF system, and will be served on the following attorney in charge for Plaintiffs, Claudia and Rosanna Cavazos, via electronic filing or regular mail:

Cristobal M. Galindo Cristobal M. Galindo, P.C.

Email: <u>StormCase@galindolaw.com</u>

**VIA E-FILING** 

/s/Mikell A. West
Mikell A. West